

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
STATESBORO DIVISION**

TOBIAS SMITH,

Plaintiff,

v.

SGT. SHADDRICK WOODS; and OFFICER  
TALMAGE,

Defendants.

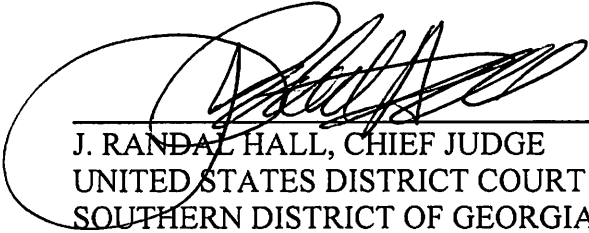
CIVIL ACTION NO.: 6:18-cv-64

**ORDER**

After an independent and de novo review of the entire record, the undersigned concurs with the Magistrate Judge's Report and Recommendation, doc. 9. Plaintiff did not file Objections to the Report and Recommendation.

Accordingly, the Court **ADOPTS** the Magistrate Judge's Report and Recommendation as the opinion of the Court. The Court **DISMISSES** Plaintiff's request for damages due to lack of medical treatment, Plaintiff's request for monetary damages against Defendant Talmage in his official capacity, and Plaintiff's claims against Defendant Woods entirely. The Court **DENIES** Plaintiff leave to appeal *in forma pauperis* as to these claims. Plaintiff's excessive force claim against Defendant Talmage remains pending.

**SO ORDERED**, this 14<sup>th</sup> day of October, 2019.

  
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J. RANDAL HALL, CHIEF JUDGE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA